

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Mylan N.V. Securities Litigation

Case No. 1:16-CV-07926 (JPO)

**ORDER ESTABLISHING PROGRAM
AND SCHEDULE FOR CLASS NOTICE**

By Order dated April 6, 2020 (ECF No. 140), this Court certified the following class in this action (the “Class”):

All persons or entities that purchased Mylan N.V. and/or Mylan N.V.’s predecessor, Mylan Inc., common stock between February 21, 2012 and May 24, 2019, both dates inclusive (the “Class Period”), excluding Defendants, current and former officers and directors of Mylan, members of their immediate families and their legal representatives, heirs, successors or assigns, and any entity in which Defendants have or had a controlling interest.

The Court hereby establishes the following program and schedule for notice to the Class of this pending class action:

1. The Court approves the Postcard Notice of Pendency of Class Action, attached hereto as Exhibit A;
2. The Court approves the Long-Form Notice of Pendency of Class Action, attached hereto as Exhibit B;
3. The Court approves the Summary Notice, attached hereto as Exhibit C;
4. Pomerantz LLP (“Class Counsel”) may employ JND Legal Administrator as notice administrator (the “Notice Administrator”), to assist in the providing of class notice;
5. Within 10 business days after entry of this Order, Viatrix Inc. shall instruct its securities transfer agent to produce to the Notice Administrator a list, in electronic form, of all persons who purchased Mylan N.V. and/or Mylan N.V.’s predecessor, Mylan Inc., common stock during the Class Period (the “Transfer List”);

6. Class Counsel shall cause to be mailed, by first class mail, the Postcard Notice of Pendency of Class Action, substantially in the form annexed hereto as Exhibit A, to each class member identified on the transfer agent records and all class members who can be identified through reasonable effort within twenty-one (21) calendar days of its receipt of the Transfer List (the “Notice Date”);

7. Class Counsel shall cause copies of the Long-Form Notice of Pendency of Class Action, substantially in the form annexed hereto as Exhibit B, and a Hebrew translation of the Long-Form Notice of Pendency of Class Action, to be posted on a website, www.MylanSecuritiesLitigation.com;

8. Class Counsel may employ JND Legal Administrator as notice administrator (the “Notice Administrator”), to assist in the providing of class notice;

9. No later than 21 calendar days after the Notice Administrator receives the Transfer List, the Notice Administrator shall solicit information from brokers and other nominees who held any Mylan common stock purchased or acquired during the Class Period as nominee for a beneficial owner. Brokers and other nominees, within 10 days of receiving the Notice, must either (1) request from the Notice Administrator sufficient copies of the Postcard Notice to forward to all such beneficial owners or (2) provide a list of the names and addresses of such beneficial owners to the Notice Administrator, preferably in an MS Excel data table setting forth: (a) title/registration, (b) street address, (c) city/state/zip; on electronic mailing labels in MS Word file (label size Avery #5162), or printed out on physical mailing labels. Upon full compliance with these directions, such nominees may seek reimbursement of their reasonable expenses actually incurred, by providing the Notice Administrator with documentation supporting the expenses for which reimbursement is sought.

10. Class Counsel shall cause the Summary Notice, substantially in the form annexed hereto as Exhibit C, to be disseminated via Investor's Business Weekly and PR Newswire, and a Hebrew translation of the Summary Notice to be disseminated over each of the following Israeli publications: (i) Israel (Yi) Hayom and (ii) Globes, within ten (10) business day after the Notice Date;

11. Should any members of the Class wish to exclude themselves, they must postmark such requests for exclusions no later than sixty (60) calendar days after the Notice Date;

12. The requests for exclusion must include the Class member's name, address, telephone number, and signature, as well as the total number of Mylan shares purchased or acquired and the date the Mylan shares were purchased or acquired;

13. Class Counsel will direct the Notice Administrator to notify Defendants' counsel of record, in writing, of the requests for exclusion it receives, including the name and address of the person or entity, and the number of shares purchased. The Notice Administrator will transmit this information to Defendants' counsel no later than thirty (30) calendar days after the deadline for exclusion; and

14. The costs of the notice process shall be borne by Plaintiffs and/or Class Counsel, and not by Defendants. **The Clerk shall close Dkt. No. 218.**

Dated: March 25, 2021
New York, New York

SO ORDERED.



J. PAUL OETKEN
United States District Judge